

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL PATRICK JOLIVETTE,
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

No. 2:21-cv-0407 TLN CKD P

ORDER AND

FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se. On June 15, 2021, the court screened plaintiff's 42 U.S.C. § 1983 complaint as the court is required to do under 28 U.S.C. § 1915A(a). The court dismissed plaintiff's complaint with leave to amend. In his amended pleading, plaintiff clarifies that he does not seek relief under 42 U.S.C. § 1983. Rather, he wishes to register a "judgment from another district pursuant to 28 U.S.C. § 1738." Under that statute, federal courts are required to give "full faith and credit" to the decisions of state courts and the statute provides authentication requirements. Plaintiff asks that the court give full faith and credit to the decision of an alternative dispute resolution service. However, nothing suggests the decision is a decision of a court state that the court recognizes under 28 U.S.C. § 1738. Accordingly, the court will recommend that plaintiff's "amended verified complaint for registration of a judgment from another district . . ." be dismissed.

1 The court notes that plaintiff has paid the \$402 filing fee for a civil action. The filing fee
2 for registration of a judgment under 28 U.S.C. § 1738 is only \$49. The court will order that \$353
3 be returned to plaintiff.

4 In accordance with the above, IT IS HEREBY ORDERED that

5 1. The Clerk of the Court shall refund plaintiff \$353.

6 2. The Clerk of the Court is directed to serve a copy of this order on the Financial
7 Department of the court.

8 IT IS HEREBY RECOMMENDED that:

9 1. Plaintiff's "amended verified complaint for registration of a judgment from another
10 district . . ." be dismissed.

11 2. This case be closed.

12 These findings and recommendations are submitted to the United States District Judge
13 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen after
14 being served with these findings and recommendations, plaintiff may file written objections with
15 the court. The document should be captioned "Objections to Magistrate Judge's Findings and
16 Recommendations." Plaintiff is advised that failure to file objections within the specified time
17 waives the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
18 1991).

19 Dated: September 22, 2021

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21 CAROLYN K. DELANEY
22 UNITED STATES MAGISTRATE JUDGE
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